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MOTOR VEHICLE PURSUIT GUIDELINES

CANADIAN
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ALBERTA SOLICITOR GENERAL

MOTOR VEHICLE PURSUIT GUIDELINES

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ALBERTA SOLICITOR GENERAL -
MOTOR VEHICLE PURSUIT GUIDELINES

I. PURPOSE

The purpose of these guidelines is to provide minimum standards regulating motor vehicle pursuits so that police officers act lawfully and with reduced risk when engaging in a motor vehicle pursuit. These guidelines will apply to all police services, special constable employers and military police.

II. DEFINITIONS

A. Motor Vehicle Pursuit

- A motor vehicle pursuit occurs when a police officer attempts to stop a vehicle when the driver is aware of this attempt and refuses to obey the officer, following which the officer pursues for the purpose of stopping the vehicle, or identifying the vehicle.

B. Primary Unit

- Generally the police unit which initiates the pursuit, but in all cases, the unit in closest proximity to the fleeing vehicle.

C. Secondary Unit

- The police unit which trails the primary pursuit unit at a safe distance and which is immediately available to assume the primary role or to assist the primary unit in the event the fleeing vehicle stops.

D. Supervisor

- A person of promoted rank or a person in authority. Where more than one jurisdiction is involved, the responsible supervisor is the supervisor in the jurisdiction where the pursuit is ongoing.

III. STATEMENT OF PRINCIPLES

Motor vehicle pursuits must be conducted in a lawful manner and policy and procedures should not detract from the police responsibilities to:

- protect the lives and property of citizens;
- preserve peace and good order;
- prevent crime; and
- apprehend offenders.

Motor vehicle police pursuits must be undertaken only when the police officer has reasonable and probable grounds to believe the seriousness of the offence and the necessity of immediate apprehension outweigh the level of danger created by the pursuit. Public safety is the paramount consideration in any decision to initiate, to continue, or to terminate a motor vehicle pursuit.

IV. FACTORS TO CONSIDER

In making a decision to initiate, continue or discontinue a vehicle pursuit, a police officer, supervisor or authorized person must continually assess the following factors and their effect on the outcome of the pursuit and public safety:

- seriousness of the offence
- road and weather conditions
- volume of vehicular and pedestrian traffic
- area: residential, commercial, rural
- driver and vehicle ability (of pursued vehicle and police vehicle)
- the availability of other methods of apprehension
- the presence in the police vehicle of unauthorized persons
- the length of time and distance involved in the pursuit
- a licence number has been obtained and run through CPIC
- the offender is otherwise known or can be identified
- the presence of passengers in the pursued vehicle who are not suspects
- the driver of the pursued vehicle is known to be suicidal

V. CONTROLLING FACTORS

A. General

1. A police unit shall not become involved in a pursuit when persons not connected with the police or otherwise approved by the Chief of Police are in the police vehicle.
2. Unmarked vehicles shall not be used except where a marked car is not immediately available and apprehension is required. Unmarked vehicles shall relinquish pursuit to a marked vehicle as soon as the marked vehicle is in a position to assume the pursuit.
3. Police officers shall not shoot at a moving vehicle unless there is an immediate need to protect the life of a person.
4. A police officer shall not use a vehicle to ram or force a suspect vehicle off the roadway unless:
 - no lesser means is possible;
 - the occupants of the vehicle have committed a serious offence; and
 - the public will be seriously endangered if the vehicle is not stopped.


5. No more than two police vehicles shall be involved in a pursuit. Members in other units shall stay clear of the pursuit and off the pursuit route, however, they shall remain alert to assist if required.
6. There shall be no attempt by the secondary unit to pass the primary unit unless such action is requested by the primary unit or supervisor.
7. Roadblocks shall only be used:
 - to prevent the escape of a person who may be lawfully arrested for a serious criminal offence;
 - to prevent a reasonable foreseeable threat of death or grievous harm to any person; and
 - if the roadblock will not endanger the lives or safety of other persons.
8. Spike belts shall not be used to stop vehicles with less than four wheels for reasons of safety. Prior to using a spike belt, consideration shall be given to the area and volume of traffic (vehicular and pedestrian).
9. Emergency equipment shall be used when engaged in a pursuit.
10. A motor vehicle pursuit must be controlled by a supervisor or a person in authority.
11. Should the police officer have reasonable and probable grounds to believe the driver of the pursued vehicle is suicidal, he shall consider terminating the pursuit and engaging an alternative solution.

B. Responsibility of the Primary Unit

1. The senior member of the primary unit shall be responsible for controlling the pursuit tactics until the supervisor is available.
2. Individual responsibility for actions of a pursuit rest with the primary unit unless directed otherwise by a supervisor. The member shall:
 - (a) continuously re-evaluate the hazards of the pursuit situation; and
 - (b) utilize all available law enforcement resources for assistance.

C. Responsibility of the Secondary Unit

1. When available, a secondary unit shall be involved in a pursuit.
2. The secondary unit shall maintain a safe distance from the primary unit, but be close enough to render assistance.
3. Should the primary pursuit unit become disabled, the secondary unit shall become the primary unit and assume all responsibilities including the control of the pursuit in the absence of the supervisor.



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D. Responsibilities of the Communications Centre

1. The Communications Centre shall:

- Receive and record all incoming information on the pursuit and the pursued vehicle.
- Immediately notify the appropriate supervisor.
- Clear radio channel of any unnecessary traffic and advise all other units that a pursuit is in progress, providing all relevant information.
- Designate a secondary unit, if required by primary unit.
- Perform relevant record and motor vehicle checks.
- Control all radio communications during the pursuit.
- Coordinate assistance under the direction of the appropriate supervisor.

E. Responsibility of the Supervisor

1. As soon as a supervisor or authorized person has been notified of a pursuit by the Communications Centre, that person shall:

- Assume decision-making control of the pursuit.
- Monitor the progress of the pursuit to ensure compliance with policy.
- Order alternative tactics when needed.
- Order discontinuation of the pursuit if time, distance, road traffic conditions, or other circumstances warrant.
- Conduct a follow-up review of procedures.

F. Termination of the Pursuit

1. A motor vehicle pursuit shall be terminated under any of the following circumstances:

- There is a clear and unreasonable danger to the officers and other users of the road created by the pursuit that outweighs the necessity for immediate apprehension.
- The suspect's identity has been established and later apprehension can be accomplished, without jeopardizing public safety.

- The prevailing traffic (vehicular and pedestrian), roadway and weather conditions indicate the futility of continued pursuit.

G. Follow-up

1. As a follow-up to the pursuit, the supervisor shall ensure the procedures and tactics used in the pursuit are checked against the policy.
2. Records shall be retained in a manner suitable for research purposes.

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